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To: Andrea M. Valenti
U.S. Patent & Trademark Office
Examiner
Art Unit 3643
Fax: 703-872-9306

5 Pages (Including this cover sheet)

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Application No.: 10/605,588
Examiner: Andrea M. Valenti

Applicant: Lakela, Jeffery Willard Phone: 651-249-9199
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July 23, 2004

United States Patent and Trademark Office
Andrea M. Valenti
Examiner
Art Unit 3643
Fax: 703-872-9306

Subject: Application/Control Number 10/605,588

Dear Ms. Valenti:

I am writing in response to your rejection of my claims specified in utility patent filing application number 10/605588. The title of my invention is "Paw Cleaning Louvered Ramp for Cat Litter Box".

I disagree with all of the reasons you give for rejecting my claims.

In regard to your rejection of claim 1, where you state that *"Walton teaches a ramp that ascends to, and descends from, a cat litter box access point"*, and *"Lennon teaches a ramp with a louvered component closely resembling a cut-out from the louvered section of a louvered door, consisting of 2 opposing parallel rectangular columns, and a plurality of parallel, equally spaced, and equally angled, louver boards (slats), that extend perpendicular to, and between, the 2 opposing parallel rectangular columns, with the louver boards (slats) angling upward relative to the opposing parallel rectangular columns in the direction of ascension up the louvered ramp; the ridges of the louver boards (slats) inherently facilitating the removal of litter from the cat's paws as it descends the louvered ramp, allowing the dislodged litter to fall through the cracks between the louver boards (slats), into a collection tray situated underneath this invention"*; and where you also state that *"it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Walton with the louvered teachings of Lennon for enhanced traction along the ramp as taught by Lennon"*, your argument and comparisons do not represent an objective evaluation of my invention. My invention is certainly a ramp, but it was not designed for the purpose of helping an animal to get in and out of a litter box, as was the purpose of the ramp in Walton's invention, nor was it intended to

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be covering for runways and the like, such as are employed in stables for enabling horses and other animals to pass from one floor of the stable to another, whereby slipping and falling is prevented, as was the purpose of Lennon's invention. Your selected inventions for comparison miss the point of my invention – facilitating the removal of litter from the cat's paws as it descends the louvered ramp, allowing the dislodged litter to fall through the cracks between the louver boards (slats), into a collection tray situated underneath the invention. Neither Walton or Lennon teach that in their inventions. Just because you misstated that Lennon teaches this, doesn't make it true. In fact it may be helpful if the louvered ramp is slippery, rather than providing enhanced traction (as in Lennon's invention), for the purpose of removing litter from the animal's paws.

In regard to your rejection of claims 2, 4, and 5, as modified teachings of Walton, your argument and comparison does not hold up, because your reasons for rejecting claim 1 do not hold up.

In regard to your rejection of claim 3, as being unpatentable over U.S. Patent No. 5,329,879 to Walton in view of U.S. Patent No. 554,129 to Lennon as applied to claims 1-2, your argument and comparison does not hold up, because your reasons for rejecting claims 1-2 do not hold up.

In regard to your rejection of claim 3, because **"it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings of Walton with the teachings of Ochs since the modification is merely an engineering design choice involving the selection of an alternate equivalent means of securing a ramp to a structure for ease of assembly and does not present a patentably distinct limitation"**, your argument and comparison does not represent an objective evaluation of my invention. My invention is certainly a ramp, but it was never intended for loading or unloading cattle, as was the purpose of Och's invention. Also, the adjustable hooks on my invention, do present a patentably distinct limitation, because they are more than merely a design choice involving selection of an alternative equivalent means of securing a ramp.

In regards to claim 1, where you state that **"McCauley teaches a ramp invention, that ascends to, and descends from, a cat litter box access point consisting of 2 opposing parallel rectangular columns"**, and **"Ebert teaches a ramp with the louvered component of this invention, closely resembling a cut-out from the louvered section of a louvered door, with a plurality of parallel, equally spaced, and equally angled, louver boards (slats) that extend perpendicular to, and between, the 2 opposing parallel rectangular columns, with the louver boards (slats) angling upward relative to the opposing parallel rectangular columns in the direction of ascension up the louvered ramp; the ridges of the louver boards (slats) facilitating the removal of litter from the cat's paws as it descends the louvered ramp, allowing the dislodged litter to fall through the cracks between the louver**

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boards (slats), into a collection tray situated underneath this invention"; and where you also state that **"it would have been obvious to one of ordinary skill in the art to modify the teachings at the time of the invention to prevent the animal from tracking the litter outside the litter box area as taught by Ebert"**; your argument and comparisons do not represent an objective evaluation of my invention. My invention is certainly a ramp, but it was not designed for the purpose of helping an animal to get in and out of a litter box, as was the purpose of the ramps in McCauley's invention, and it is not a cat litter mat, as is Ebert's invention. Again, your analysis misses the point of my invention – facilitating the removal of litter from the cat's paws as it descends the louvered ramp, allowing the dislodged litter to fall through the cracks between the louver boards (slats), into a collection tray situated underneath the invention. Neither McCauley or Ebert teach this in their inventions. Just because you misstated that Ebert teaches this, doesn't make it true.

In regard to your rejection of claims 2,3,4, and 5, as modified teachings of McCauley, your argument and comparison does not hold up, because your reasons for rejecting claim 1 do not hold up.

In regard to your rejection of claim 3 as a modified teaching of McCauley, where you state that **"it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the teachings since the modification is merely making an existing element adjustable to accomodate different size litter containers and does not present a patentably distinct limitation"**, your analysis does not represent an objective evaluation of my invention. The adjustable hooks on my invention, do present a patentably distinct limitation, because my invention is a louvered ramp unit that is separate and distinct from litter box containers.

Please reconsider my patent application. My invention is a louvered ramp that facilitates the removal of litter from a cat's paws for collection in a tray situated underneath the invention. The cat's owner can easily empty the litter from the tray into a trash receptacle. My idea was conceived because my friend has tried the litter mats, and claims that they do not work as intended. I built a prototype unit with the adjustable hooks for my friend to test; she claims that it works better than the litter mats that she has tried. I will honestly point out the flaw in this design – the cat must use the ramp on exit. My friend had the litter box in a small closet where her cats had no choice but to enter and exit the litter box over the louvered ramp. While it is not a perfect solution, neither are the other devices that have been patented for the purpose of stopping the spread of litter outside of the litter box area.

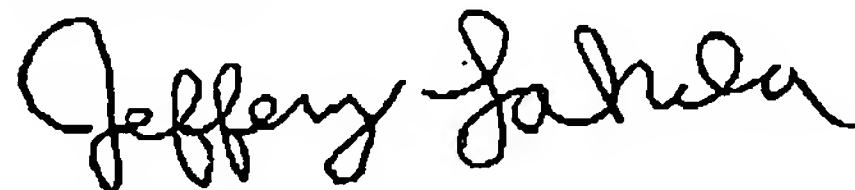
I was astounded to find out that somebody actually has been granted a patent on the tray that I had invented independently, for the purpose of collecting the litter. I never even considered applying for a patent on the tray, because the idea of

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applying for a patent on a "tray", seemed to be as ludicrous as applying for a patent on a "wheel".

You can reach me at telephone number: 651-249-9199.

Sincerely,



Jeffery Lakela